

Application No. 09/597,529
Amendment dated December 15, 2003
Reply to Final Office Action dated October 17, 2003

Remarks/Arguments

Applicant has received and carefully reviewed the Final Office Action mailed October 17, 2003. Claims 1-37 remain pending, with claims 35-37 being newly presented. Reexamination and reconsideration are respectfully requested.

In the Final Office Action, the Examiner rejected claims 1, 23-25, 28, 33 and 34 under 35 U.S.C. § 102(e) as being anticipated by Varadarajan et al. The Examiner also rejected claims 2-6, 15-17, 19, 20, 26 and 27 under 35 U.S.C. § 103(a) as being unpatentable over Varadarajan et al. as applied to independent claims 1, 23 and 33, and further in view of Aubel et al. After carefully reviewing both Varadarajan et al. and Aubel et al., Applicants must respectfully disagree.

The undersigned participated in a telephone interview with the Examiner on November 20, 2003. During that interview, the Examiner indicated that independent claims 1, 23 and 33 would be allowable if the limitations of dependent claim 3 or dependent claim 4 were included therein. While Applicants disagree that independent claims 1, 23 and 33 are unpatentable over the cited prior art, claims 1, 23 and 33 have been amended to include dependent claim 3. Newly presented claims 35-37 have also been added, which are similar to originally presented claims 1, 23 and 33, respectively, but include dependent claim 4. During the telephone interview, the Examiner indicated that such claims would be in condition for allowance.

On November 20, 2003, the undersigned provided this Amendment-After-Final to the Examiner for review, except for this paragraph. On November 24, 2003, the Examiner contacted the undersigned and indicated that this Amendment-After-Final would place all claims in condition for allowance, including the newly presented claims.

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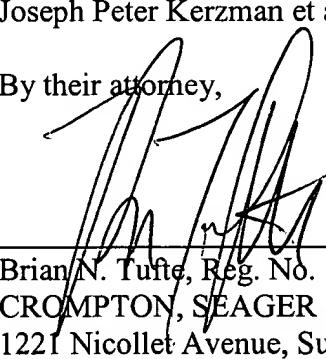
In paragraph 7 of the Final Office Action, the Examiner indicated that claims 7, 8-14, 18, 21, 22, 29 and 30-32 would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. In response, claim 7 has been rewritten in independent form to include the limitations of originally presented claim 1. As such, claims 7-14 are now believed to be in condition for allowance. In addition, claim 21 has been rewritten in independent form to include the limitations of originally presented claim 1 and dependent claim 15. As such, claims 21-22 are now believed to be in condition for allowance. Finally, dependent claim 29 has been rewritten in independent form to include the limitations of originally presented claim 23 and dependent claim 28. As such, claims 29-32 are now believed to be in condition for allowance.

In view of the foregoing, it is believed that all pending claims 1-37 are now in condition for allowance. Issuance of a notice of allowance in due course is respectfully requested. If a telephone conference would be of assistance, please contact the undersigned attorney at 612-677-9050.

Respectfully submitted,

Joseph Peter Kerzman et al.

By their attorney,



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Dated: December 15, 2003